

## REMARKS

The paragraph numbers that follow correspond to the paragraph numbers in the most recent office action.

1. Applicant has amended claim 16 so that claim 16 now depends from claim 14 as suggested by the Examiner.

2. Applicant has amended each of claims 14 and 17 to replace the term "if" with the term "when" which should overcome the conditional limitation problem.

With respect to the term "code", applicant has replaced that term with the term "information" to indicate a broad term covering computer codes, text, data or instructions of whatever kind, or a combination of these elements, which can be recognized or processed by a computerized patient records system (see page 7 of the present specification, lines 3-5). Applicant believes that this amendment should overcome the related objection.

3-4. The Office Action rejected each of claims 1, 3-5, 14 and 16-18 as obvious over Gray in view of Gralla and further in view of Coli. Applicant has amended each of claims 1, 14 and 17 to more clearly overcome the prior art.

In any medical order generating system, to generate an order several different types of information will be required for the system to generate the order. For instance, in an exemplary case it may be that a specific order generating system requires between eight and fifteen different types of information to facilitate order generation, the number of required information types depending on the type of order being created.

The present inventors have recognized that information required to generate an order can be neatly packaged in tags associated with clinical guidelines where the tag information can be provided to an order generating system whenever an order is requested. Thus, for instance, where twelve different types of information are required

by a records application program to generate an order of a specific type, all of the required information can be provided in a tag. According to the present invention, a hyperlink or acceptance indicator that is associated with the tag is displayed for a browser user to view and, when the hyperlink is selected by the user, the active guidelines tag information is provided to an accumulator (e.g., a queue) for processing by the records application program to generate a suitable order. See the exemplary tags in the present specification at the bottom of page 7 and on page 8 that include several different types of information required to generate orders of different types.

Consistent with the comments above, amended claim 1 requires active guideline tags associated with clinical guidelines where the tags contain information usable by a patient records system to generate orders. In addition claim 1 requires an interpreter that receives the tags and converts the tags into hyperlinks and a browser that receives the hyperlinks and associated tags and that displays the hyperlinks for user selection, wherein, when a user invokes one of the hyperlinks, a URL router receives the tag associated with the invoked hyperlink and creates an action item for implementation by a records system to create an order.

Other ways to generate orders may be to require an order generating software user to enter all of the information required to generate an order or, providing additional software that can glean at least some of the information required to generate an order from some other database. These two ways of providing order generating information are clearly different than providing order generating information in pre-defined tags that are associated with clinical guidelines that are stored in a guideline server.

Turning to the prior art, while each of the three cited references teaches a browser based system, none of the cited references teaches or even remotely suggests tags that contain information usable by a patient records system to generate orders. While Gray teaches that an icon 476 can be selected by a browser user to schedule a procedure, Gray teaches no specifics about how icon selection causes the procedure to be scheduled. To this end, when Gray's icon 476 is selected, Gray teaches that the

browser screen shot in Fig. 23 is next presented to obtain information from the user regarding who will perform the recommended procedure. After the Fig. 23 screen shot, the screen shot in Fig. 24 is provided to allow a user to select a facility at which the recommended procedure is to be performed. Gray teaches nothing else regarding how icon selection results in scheduling the procedure.

Applicant agrees with the Examiner that Gralla is combinable with Gray as Gray teaches a browser based system and Gralla generally teaches how browsers operate. To this end Gralla teaches that a typical browser works as follows. HTML pages are received by a browser which interprets HTML information and generates text, graphics and on screen selectable hyperlinks. Each of the hyperlinks is associated with an underlying uniform resource locator (URL) which indicates the logical location of another HTML page, a file, or a specific function of an application program. When a hyperlink is selected (e.g., clicked on via a mouse controlled cursor), one of two things occurs. First, if the hyperlink is associated with another HTML page, the underlying URL is used to locate the other HTML page which is then served up via the browser for the user to view. Second, if the hyperlink is associated with a specific function of an application program stored at the URL associated with the hyperlink, the program is located and the function is performed. In some cases selection of a hyperlink can cause a function to be performed and may also cause another HTML page to be served up. For instance, where information is entered via a first HTML page that is to be used to perform a function, after the information is entered and the hyperlink is selected, the information may be sent to the URL associated with the selected hyperlink where an application program function is performed after which results of the function may be inserted into another HTML page and served up the browser user.

In each of the examples of what happens when a hyperlink is selected as described by Gralla above, while a URL associated with the hyperlink is used to identify the location of either another HTML page, a program function to be performed or a program to receive and process user input data, no information in the URL or a tag

associated with the hyperlink is used to generate an order. In effect the URL is simply an address and the information therein is not content for creating an order. In the case where a browser user enters some information to be used by a program stored at a URL to perform a process, the information entered is not tag information that existed first in a clinical guidelines server and instead is information that is first provided or entered by the user. In this scenario a user has to enter information which is clearly different than having a user select a hyperlink associated with predefined information.

Thus, at best, when Gray and Gralla are combined, the combination teaches a system wherein, for instance, when the icon 476 is selected, the URL related to the selected icon is used to access the HTML page shown in Fig. 23 and where, after additional information is entered and the NEXT icon is selected on the page shown in Fig. 23, the URL associated with the NEXT icon is used to access the HTML page shown in Fig. 24. Continuing, after additional information is entered and the NEXT icon is selected via the page shown in Fig. 24, the entered information is provided to a processor that schedules a procedure. Here, none of the information used to schedule the procedure existed in pre-existing tags and all of the information was either entered by the browser user or was some how provided by the application programs associated with the underlying URLs. In short, when taken together, Gray and Gralla do not teach or suggest tags associated with clinical guidelines where the tags include information used by a records system to generate orders. In addition, neither Gray nor Gralla teach or suggest using the tag information to create orders.

Turning to Coli, Like Gralla and Gray, Coli fails to teach or suggest using pre-existing tag information that is associated with clinical guidelines to provide information to a records system for generating an order. In Coli, a browser interface is provided for a user to enter information that defines tests to be performed. The information entered is then transmitted to a processor for processing. Information entered by a user is completely different than pre-defined tag information used to generate or create an

order as required by claim 1. In addition, predefined tag information can eliminate data entry errors as well as facilitate compliance with facility and governmental regulations.


For at least the above reasons Applicant believes that amended claim 1 and claims that depend there from are novel and non-obvious over the cited references and requests allowance of each of those claims.

Each of claims 14 and 17 have been amended to include limitations similar to the limitations added to claim 1 including that the tags stored in the guidelines server include information usable by a records system to generate orders and that the tag information is used to generate a record when an associated hyperlink is selected. Applicant believes that each of claims 14 and 17 and the claims that depend there from are patentable over the cited references for the same reasons that claim 1 is patentable and requests allowance of each of those claims.

Based on the amendments to the claims made above and the arguments presented herewith, reconsideration of the merits of this application is respectfully requested. A petition for extension of time is submitted herewith so that this response will be considered as timely filed.

Respectfully submitted,  
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